UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED 07 DEC -3 AM 9:46

UNITED STATES OF AMERICA, Plaintiff, v. **Enrique REYES-Paramo,** Defendant	Magistrate Docket No. '07 MJ 2788 COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

DEPUTY

The undersigned complainant, being duly sworn, states:

On or about **November 30, 2007** within the Southern District of California, defendant, **Enrique REYES-Paramo,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 3rd DAY OF **December, 2007**

Ruben B. Brooks
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Enrique REYES-Paramo

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

On November 30, 2007, Border Patrol Agent Jonathan Oman was assigned to Border Patrol duties at the Imperial Beach Border Patrol Station area of operations. At approximately 6:05 a.m., Agent Oman responded to a report from a thermal scope operator that a group of six individuals were climbing over the United States/Mexico International Border Fence in an area known as "La Media". This area is approximately four and half miles east of the San Ysidro, California Port of Entry and 50 yards north of the United States/Mexico International Border. At approximately 6:20 a.m., upon arriving to the area, Agent Oman encountered three individuals attempting to conceal themselves in some thick brush and one subject later identified as the defendant **REYES-Paramo, Enrique**. The defendant was holding a ladder that was being used to jump over the fence. Agent Oman identified himself as a United States Border Patrol Agent in the English and Spanish language. Agent OMAN then questioned each individual as to his citizenship and immigration status. Each subject, including the defendant, admitted to being a citizen and national of Mexico without immigration documents that would allow them to enter or remain in the United States legally. The defendant and the other individuals were then arrested and transported to the Imperial Beach Field Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **July 26, 2006** through **Nogales, Arizona.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was read his Miranda rights, which he acknowledged and was willing to make a statement without an attorney present. The defendant stated that he was a citizen and national of Mexico without valid immigration documents to enter or remain within the United States legally. The defendant further stated that he has been previously deported and has never applied for permission to re-enter the United States prior to his entry.

Executed on December 1, 2007 at 8:30 A.M.

Ismael A. Canto
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on **November 30, 2007**, in violation of Title **8**, United States Code, Section **1326**.

Ruben B. Brooks
United States Magistrate Judge

12/1/2005 at 11:25 a.m.
Date/Time